

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

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Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Booneville and Guntown, Mississippi)

)
) MB Docket No. _____
) RM - _____
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PETITION FOR RULE MAKING

Clear Channel Broadcasting Licenses, Inc. ("Clear Channel"), licensee of WBIP-FM, Booneville, Mississippi, by its counsel, hereby submits this Petition for Rule Making which proposes to delete Channel 257A at Booneville, Mississippi and allot Channel 257C3 to Guntown, Mississippi as that community's first local service. If this Petition is granted, Clear Channel will file an application for Channel 257C3 at Guntown, and will construct the facilities if its application is granted. The following table summarizes the changes requested in this Petition:

City	Channel	
	Existing	Proposed
Booneville, Mississippi	257A	---
Guntown, Mississippi	---	257C3

I. Technical Analysis

1. As demonstrated in the Technical Exhibit, Channel 257C3 can be allotted to Guntown, Mississippi at coordinates 34-21-42 North Latitude, 88-35-34 West Longitude consistent with Section 73.207 of the Commission's Rules with respect to all existing and

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proposed allotments and facilities. *See* Figure 1. A 70 dBu signal can be provided to Guntown from the proposed reference coordinates. *See* Figure 5. The relocation of WBIP-FM from Booneville to Guntown will result in a predicted net gain in population of 101,161 persons within the 60 dBu contour of the station. *See* Figure 2. The entire loss area will continue to receive at least 5 other aural services and will thus remain well served. *See* Figure 3 and 4.

II. Change in Community of License

2. Clear Channel desires to change the community of license for WBIP-FM from Booneville to Guntown under the guidelines set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 3870 (1989), *recons. granted in part*, 5 FCC Rcd 7094 (1990). There, the Commission stated that a station may change its community of license without subjecting the license to other expressions of interest if (1) the proposed allotment is mutually exclusive with the current allotment; (2) the current community of license will not be deprived of its only local service; and (3) the proposed arrangement of allotments is preferred under the Commission's allotment priorities. These criteria are met here. First, the proposed use of Channel 257C3 at Guntown is mutually exclusive with the current use of Channel 257A at Booneville. *See* Figure 1. Second, Booneville will not be deprived of its only local service because it is currently served by stations WBIP(AM) and WMAE-FM. Third, the provision of a first local service at Guntown (2000 U.S. Census population 1,205) under Priority 3 will result in a preferential arrangement of allotments over the retention of a third local service at Booneville (2000 U.S. Census population 8,626) under Priority 4. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

3. Guntown is not located in an Urbanized Area and the proposed 70 dBu signal of WBIP-FM will not encompass any percentage of an Urbanized area. Therefore, this relocation does not implicate the Commission's policy against migration of stations from rural to urban areas. *See* 10 FCC Rcd 10352 (1995); *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988).

4. Guntown enjoys the attributes that the Commission traditionally associates with a community. Guntown is listed in the 2000 U.S. Census and therefore is presumed to have the status of a community for allotment purposes. *See Arnold and Columbia, California*, 7 FCC Rcd 6302 (1992).

5. Guntown is located in Lee County, Mississippi. The ZIP code assigned to Guntown is 38849 and the U.S. Postal Service operates one branch in Guntown. According to Betty Moore, the Guntown Clerk, Guntown was incorporated in 1905. The local town government has a mayor's office and police, fire, water, and parks and recreation departments. Guntown is administered by a mayor and five alderman who are elected to four-year terms. The Guntown Middle School is located in Guntown. *See* Exhibit 2.

6. A number of local businesses identify with the community by using "Guntown" in their name, including Guntown Antiques, Guntown Beauty Supply, Guntown Cafeteria, Guntown Liquor & Wine, and Guntown LP Gas Co. Churches that are home to Guntown include, the Victory Baptist Church and the Guntown Holiness Church. *See* Exhibit 2.

III. CONCLUSION

For the foregoing reasons the Commission should delete Channel 257A at Booneville, Mississippi and allot Channel 257C3 at Guntown, Mississippi as that community's first local service. Clear Channel reiterates that if the Commission grants this Petition, it will file an

application and construct the authorized facilities. The Commission should promptly issue a Notice of Proposed Rule Making as described herein.

Respectfully submitted,

CLEAR CHANNEL BROADCASTING
LICENSES, INC.

By:



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Its Counsel

November 15, 2004

TECHNICAL EXHIBIT

PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS

BOONEVILLE, MISSISSIPPI
GUNTOWN, MISSISSIPPI

Technical Narrative

This technical narrative and accompanying Figures have been prepared on behalf of station WBIP-FM, Booneville, Mississippi, in support of a Petition for Rule Making to amend 47 C.F.R. Section 73.202(b) to reallocate channel 257 A at Booneville, Mississippi to channel 257C3 at Guntown, Mississippi.

As the requested change is mutually exclusive with the channel's current allotment, Petitioner invokes the provisions of Section 1.420(i).

The following is a summary of the merits of this reallocation proposal:

- The community of Guntown, Mississippi (2000 Census population 1,205 persons) will be provided with its first local aural transmission service.
- The community of Booneville, Mississippi (2000 Census population 8,626 persons) will continue to have local aural service from FM station WMAE and AM station WBIP.
- The proposed channel 257C3 allotment site at Guntown, Mississippi satisfies the Commission's allocations spacing rules.¹

¹ Proposed allotment coordinates are 34° 21' 41.7" North, 88° 35' 34" West. See this Exhibit under the heading "Compliance With FCC Rules" for details on allocations considerations with respect to this site. Also see *Figure 1* accompanying this Exhibit for the allocations spacing study.

- The 60 dBu gain area associated with the proposed reallocation of channel 257 will encompass 115,709 persons, while the 60 dBu loss area will encompass 14,548 persons, for a net gain of 101,161 additional persons served within the WBIP-FM 60 dBu service contour².
- The channel 257 60 dBu loss area is well served by a number of radio services³.

² See Figure 2.

³ See Figures 3 and 4.

Table of Figures Accompanying this Exhibit

Figure 1	WBIP-FM Channel 257C3 Allocations Spacing Study
Figure 2	WBIP-FM Channel 257 60 dBu Gain and Loss Areas
Figure 3	Depiction of Services to WBIP-FM 60 dBu loss area
Figure 4	Tabulation of Services to WBIP-FM 60 dBu loss area
Figure 5	WBIP-FM Channel 257C3 70 dBu Service to Guntown, Mississippi

Proposed Change in the FM Table of Allotments

Booneville, Mississippi is located in Prentiss County, Mississippi, and has a 2000 U.S. Census population of 8,626 persons. Under this proposal, Booneville will continue to receive local aural radio service from FM station WMAE and AM station WBIP.

Guntown, Mississippi is located in Lee County, Mississippi, and has a 2000 U.S. Census population of 1,205 persons. Guntown has no local FM or AM aural broadcast service and, therefore, Petitioner's proposal would bring a first local aural broadcast service to Guntown, MS.

Accordingly, Petitioner requests modification of the FM allocation table as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Booneville, MS	257A	- ⁴
Guntown, MS	-	257C3

Compliance With FCC Rules

The attached *Figure 1* is a tabulation of required separations pertinent to use of channel 257C3 at Guntown, Mississippi. The reference site complies with the Commission's minimum distance separations contained in Section 73.207 of the FCC's rules to all existing, authorized and proposed stations and allotments, except for the existing channel 257A allotment at Booneville, Mississippi, for which this proposal is a mutually exclusive substitute.

Operation from the channel 257C3 reference site will provide the requisite city grade (70 dBu) signal to all of Guntown.⁵ *Figure 5* is a map which was developed using the 2000 U.S. Census Topologically Integrated Geographic Encoding and Referencing (TIGER) Line files which depicts the city grade coverage (70 dBu) contours based on class C3 facilities (ERP 25 kW/HAAT 100 meters) at the proposed

⁴ Non-commercial FM station WMAE(FM) will remain serving Booneville, Mississippi, as will WBIP(AM).

⁵ SEE *Figure 5* herein.

allotment site. As shown, all (100%) of Guntown is located within the proposed 70 dBu City Grade contour. Guntown is located 11.2 kilometers from the proposed WBIP-FM channel 257C3 allotment site.

Urbanized Area Considerations

The WBIP-FM 257A 70 dBu contour currently encompasses no Urbanized Areas, nor will the proposed channel 257C3 allotment's 70 dBu contour encompass any Urbanized area⁶.

60 dBu Gain and Loss Areas

There are currently 46,409 persons residing within the WBIP-FM channel 257A 60 dBu contour. There will be 147,570 persons residing within the proposed WBIP-FM 257C3 60 dBu contour. 31,861 persons currently residing within the WBIP-FM 60 dBu contour will continue to receive service from WBIP-FM under this proposal. 14,548 persons will lose service. 115,709 persons will gain new service within the proposed WBIP-FM 60 dBu contour as a result of the proposed 257C3 operation at Guntown, MS, for a net aggregate gain of 101,161 persons. See *Figure 2*.

The 60 dBu loss area related to the reallocation of channel 257A to channel 257C3 is well served by many aural services. See *Figures 3 and 4*.

Coverage Contours

The FM predicted coverage contours were calculated in accordance with the provisions of 47 C.F.R. Section 73.313, except that, in accordance with current FCC practice, uniform terrain was assumed in all directions.

Population and Area

The population within the FM primary service contour (1 mV/m) was calculated using a computer program that utilizes the 2000 U.S. Census database of "population centroids". The program adds the populations of those U.S.

⁶ SEE *Figure 5*.

Channel 257A, Booneville, Mississippi and Guntown, Mississippi

Census designated areas whose centroid lies within each service area.

Conclusion

Channel 257A can be reallocated from Booneville, Mississippi to channel 257C3 at Guntown, Mississippi, in compliance with all applicable Commission rules. The community of Guntown, Mississippi would be provided with a first local aural transmission service, and the community of Booneville, Mississippi will continue to have local aural service. No service will be lost in any underserved area⁷ and no new underserved areas will be created as a result of this proposal. Therefore, Petitioner requests the reallocation of channel 257A from Booneville, Mississippi to 257C3 at Guntown, Mississippi be granted accordingly.

Respectfully submitted,



Stephen G. Davis
Senior Vice President
Clear Channel Broadcasting Licenses, Inc.

2625 South Memorial Drive, Suite A
Tulsa, Oklahoma 74129
(918) 664-4581

October 25, 2004

⁷ Defined as an area receiving service from less than five aural broadcast services. In the case of this proposal, the 60 dBu loss areas will continue to receive 60 dBu service from multiple sources, local and distant. SEE Figures 3 and 4.

```

                                WBIP-FM (Proposed)
REFERENCE                                DISPLAY DATES
34 21 42 N                                CLASS = C3          DATA  10-13-04
88 35 34 W                                Current  Spacings    SEARCH 10-25-04
----- Channel 257 - 99.3 MHz -----

```

Call	Channel	Location	Dist	Azi	FCC	Margin		
WBIPFM	LIC	257A	Booneville	MS	30.82	2.9	142.0	-111.18
ALLO	USE	257A	Booneville	MS	30.82	2.9	142.0	-111.18
WZLT	LIC	257A	Lexington	TN	142.40	7.3	142.0	0.40
ALLO	USE	257A	Lexington	TN	142.40	7.3	142.0	0.40
AL258	VAC	258A	Vardaman	MS	89.80	223.1	89.0	0.80
ALLO	USE	256C	Huntsville	AL	185.60	74.3	176.0	9.60
WAHR	LIC	256C	Huntsville	AL	185.60	74.3	176.0	9.60
ALLO	USE	258C	Birmingham	AL	188.21	122.5	176.0	12.21
WZRR	LIC-N	258C	Birmingham	AL	189.55	121.4	176.0	13.55
WAHR.C	CP -N	256C	Huntsville	AL	192.81	77.8	176.0	16.81
ALLO	USE	260C2	Artesia	MS	75.26	181.4	56.0	19.26
WSMS	LIC	260C2	Artesia	MS	78.54	181.9	56.0	22.54
WYMX	LIC	256C0	Greenwood	MS	186.40	242.5	163.0	23.40
ALLO	USE	256C0	Greenwood	MS	186.41	242.5	163.0	23.41
WMC-FM	LIC	259C	Memphis	TN	148.47	307.6	96.0	52.47
ALLO	USE	259C	Memphis	TN	148.51	307.6	96.0	52.51
WQPR.A	APP	204C2	Muscle Shoals	AL	78.09	71.8	17.0	61.09
WQPR	LIC	204C2	Muscle Shoals	AL	78.28	71.9	17.0	61.28
ALLO	USE	255C3	Brooksville	MS	105.70	174.8	43.0	62.70
WJZN.C	CP -Z	255C1	Munford	TN	142.84	308.5	76.0	66.84
WAJV	LIC-Z	255C3	Brooksville	MS	112.90	177.8	43.0	69.90

Figure 2 - 60 dBu Gain and Loss Areas

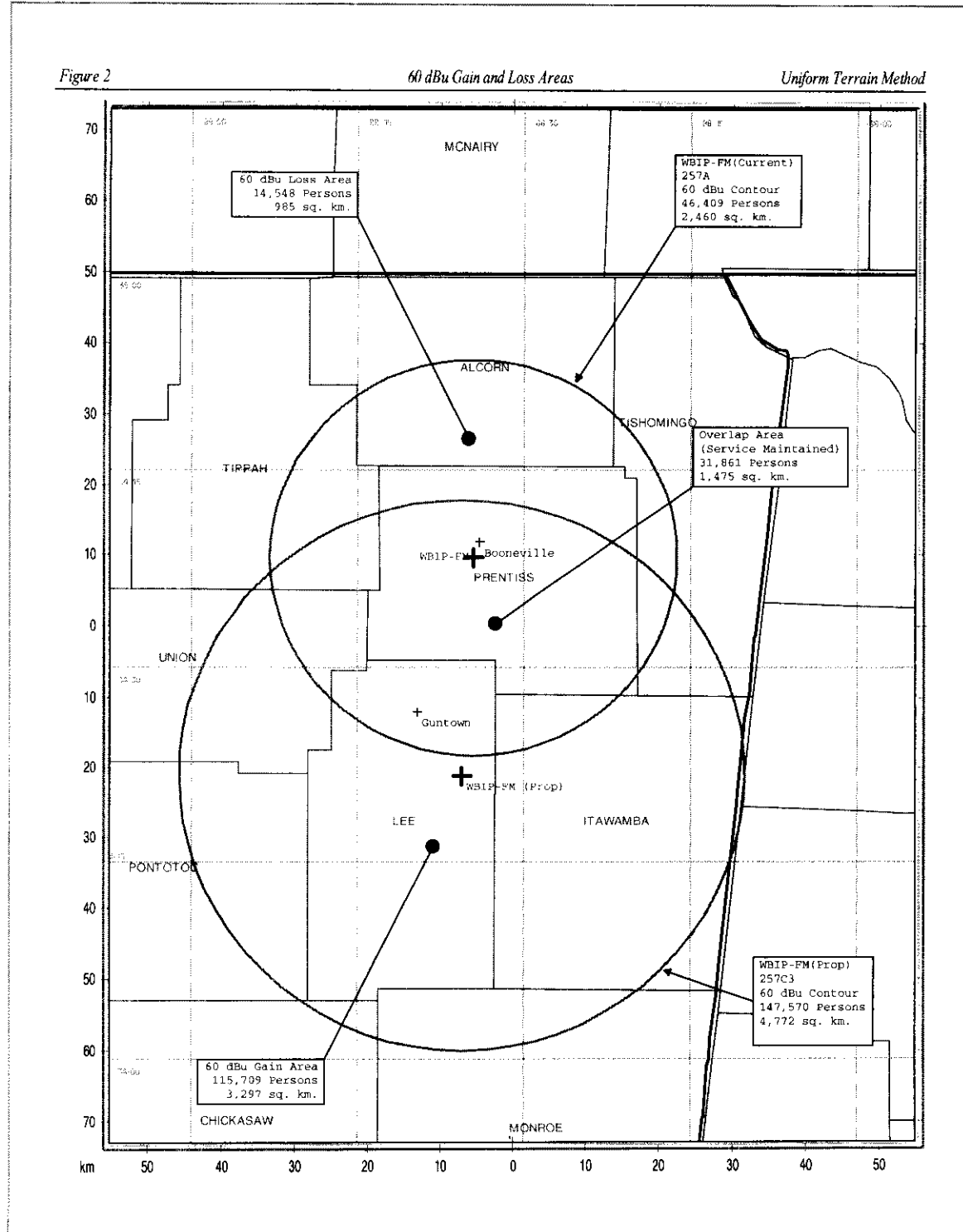


Figure 3 - Service to 60 dBu Loss Area

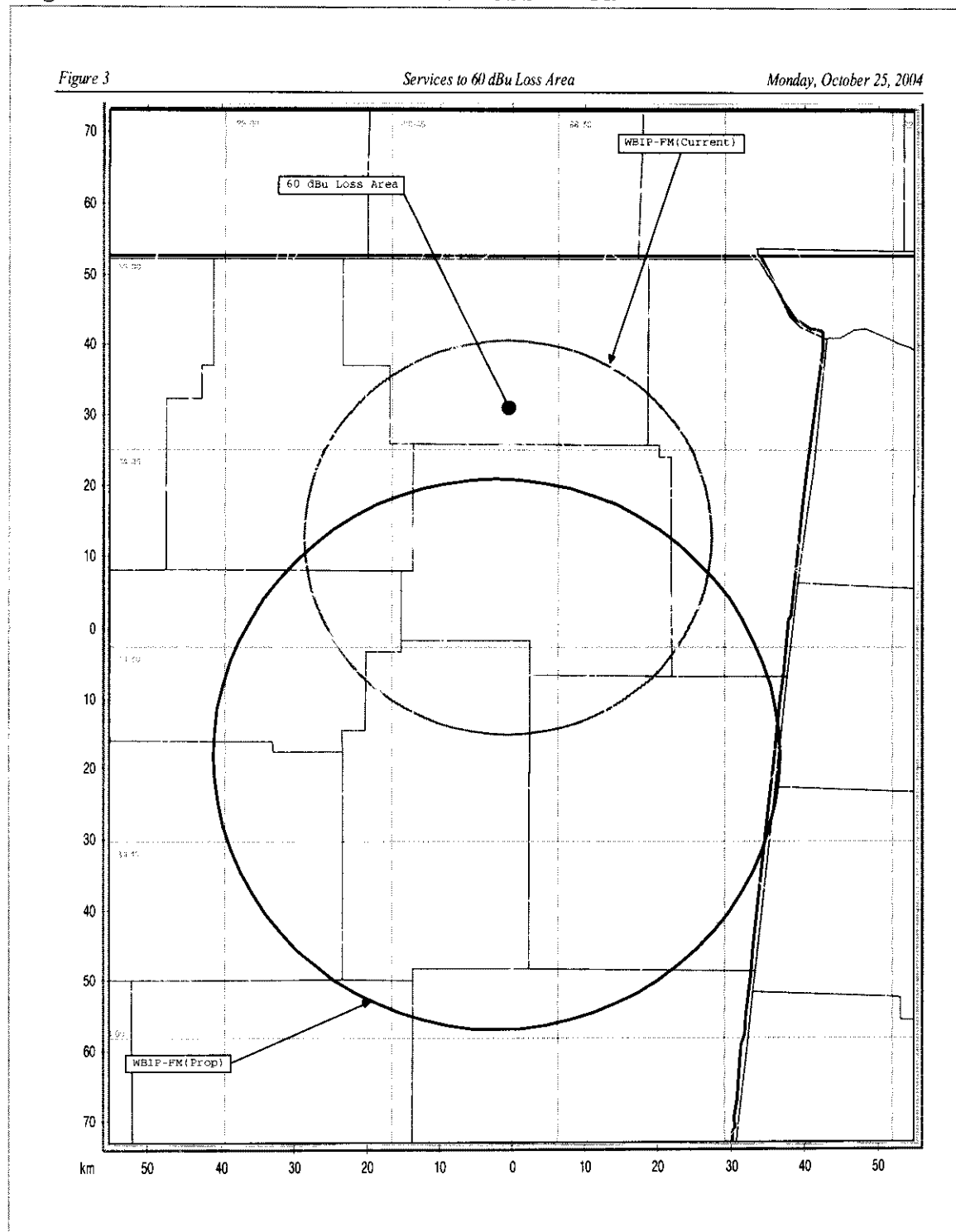


Figure 4 - Tabulation of Services to 60 dBu Loss Area

<i>Call Sign</i>	<i>Facility_id</i>	<i>City</i>	<i>State</i>	<i>Freq</i>	<i>Distance_km</i>
WBIP-FM (Prop)	71214	GUNTOWN	MS	99.3	18.16
WBIP-FM	71214	BOONEVILLE	MS	99.3	12.76
WWMS	58932	OXFORD	MS	97.5	66.86
WCNA	50294	POTTS CAMP	MS	95.9	49.6
WZLQ	58828	TUPELO	MS	98.5	66.86
WWZD-FM	68354	NEW ALBANY	MS	106.7	30.65
WOWL	79355	BURNSVILLE	MS	91.9	47.31
WKZU	63297	RIPLEY	MS	102.3	32.42
WAFR	1592	TUPELO	MS	88.3	15.52
WAQB	1542	TUPELO	MS	90.9	15.52
WFTA	666	FULTON	MS	101.9	29.14
WXRZ	66281	CORINTH	MS	94.3	31.71
WFXO	59614	IUKA	MS	104.9	32.28
WADI	31412	CORINTH	MS	95.3	47.31
WMAE-FM	43190	BOONEVILLE	MS	89.5	22.93
WYDL	85315	MIDDLETON	TN	100.7	53.82
WQLT-FM	5274	FLORENCE	AL	107.3	80.12
WKCU	66282	CORINTH	MS	1350	43.59
WLRC	3494	WALNUT	MS	850	54.68
WCSA	34367	RIPLEY	MS	1260	40.67
WCMA	31411	CORINTH	MS	1230	48.27
WBIP	71213	BOONEVILLE	MS	1400	12.76

Figure 5 - 70 dBu Service to Guntown, MS

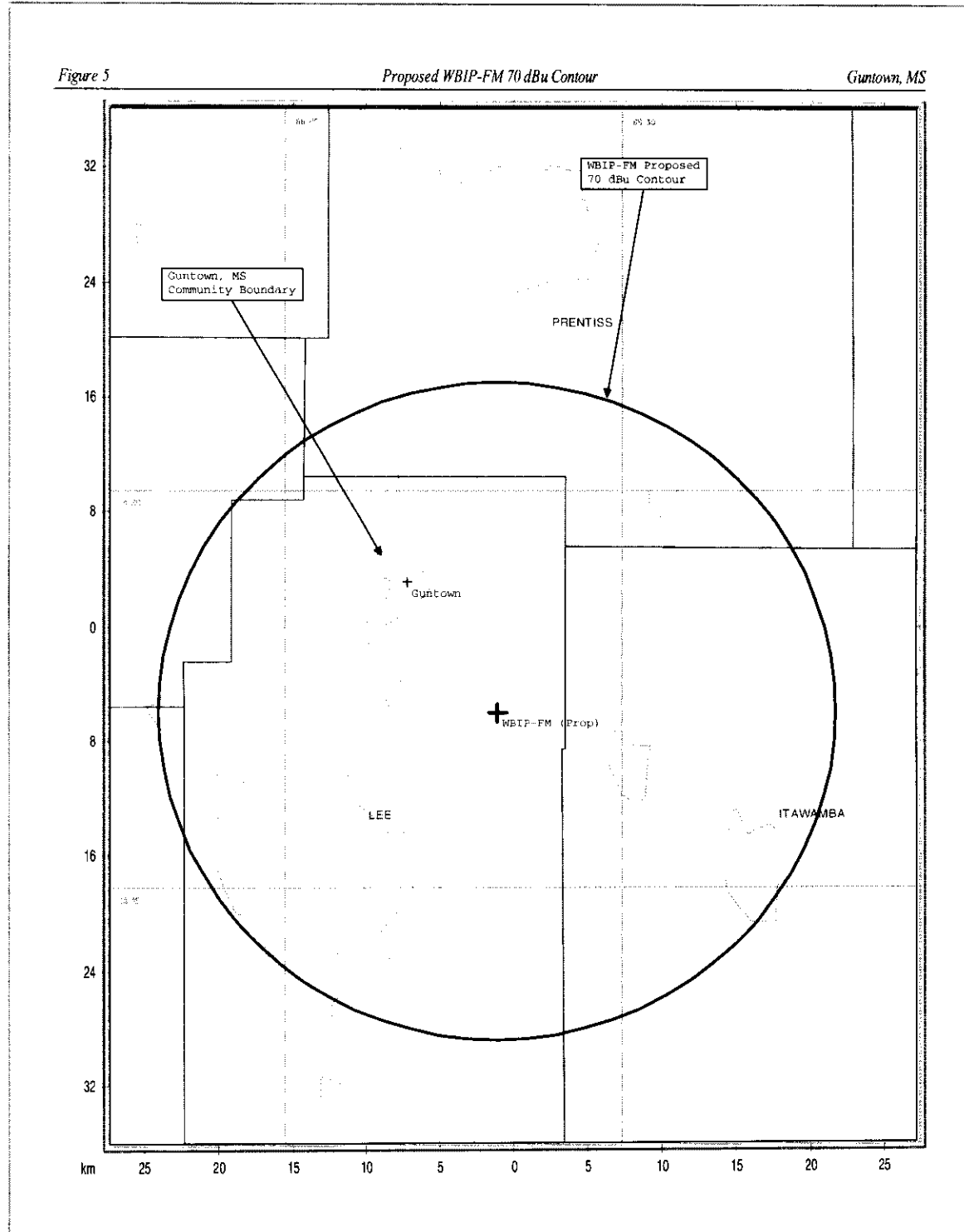


EXHIBIT 2



U.S. Census Bureau

American FactFinder

FACT SHEET

Guntown town, Mississippi

Highlights from the Census 2000 Demographic Profiles:

General Characteristics - show more >>

	Number	Percent	U.S.		
Total population	1,183	100.0	100%	map	brief
Male	560	47.3	49.1%	map	brief
Female	623	52.7	50.9%	map	brief
Median age (years)	31.6	(X)	35.3	map	brief
Under 5 years	100	8.5	6.8%	map	
18 years and over	777	65.7	74.3%		
65 years and over	117	9.9	12.4%	map	brief
One race	1,182	99.9	97.6%		
White	887	75.0	75.1%	map	brief
Black or African American	286	24.2	12.3%	map	brief
American Indian and Alaska Native	0	0.0	0.9%	map	brief
Asian	4	0.3	3.6%	map	brief
Native Hawaiian and Other Pacific Islander	0	0.0	0.1%	map	brief
Some other race	5	0.4	5.5%	map	
Two or more races	1	0.1	2.4%	map	brief
Hispanic or Latino (of any race)	12	1.0	12.5%	map	brief
Average household size	2.67	(X)	2.59	map	brief
Average family size	3.12	(X)	3.14	map	
Total housing units	482	100.0	100.0%	map	
Occupied housing units	443	91.9	91.0%		brief
Owner-occupied housing units	309	69.8	66.2%	map	
Renter-occupied housing units	134	30.2	33.8%	map	brief
Vacant housing units	39	8.1	9.0%	map	

Social Characteristics - show more >>

	Number	Percent	U.S.		
Population 25 years and over	654	100.0			
High school graduate or higher	451	69.0	80.4%	map	brief
Bachelor's degree or higher	74	11.3	24.4%	map	
Civilian veterans (civilian population 18 years and over)	79	11.1	12.7%	map	brief
Disability status (population 21 to 64 years)	162	28.2	19.2%	map	brief
Foreign born	0	0.0	11.1%	map	brief
Now married (population 15 years and over)	458	58.6	54.4%		brief
Speak a language other than English at home (5 years and over)	2	0.2	17.9%	map	brief

Economic Characteristics - show more >>

	Number	Percent	U.S.		
In labor force (population 16 years and over)	418	55.5	63.9%		brief
Mean travel time to work in minutes (population 16 years and over)	21.1	(X)	25.5	map	brief
Median household income (dollars)	27,188	(X)	41,994	map	
Median family income (dollars)	29,783	(X)	50,046	map	
Per capita income (dollars)	12,456	(X)	21,587	map	
Families below poverty level	59	19.3	9.2%	map	brief
Individuals below poverty level	298	24.7	12.4%	map	

Housing Characteristics - show more >>

	Number	Percent	U.S.		
Single-family owner-occupied homes	199	100.0			brief
Median value (dollars)	72,600	(X)	119,600	map	brief
Median of selected monthly owner costs	(X)	(X)			brief
With a mortgage	680	(X)	1,088	map	
Not mortgaged	216	(X)	295		

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Guntown, 1660 Main St, Guntown, MS 38849 [Plan Route >](#)**Regular Business Hours:**

Week Days 08:00AM-11:00AM

12:30PM-04:15PM

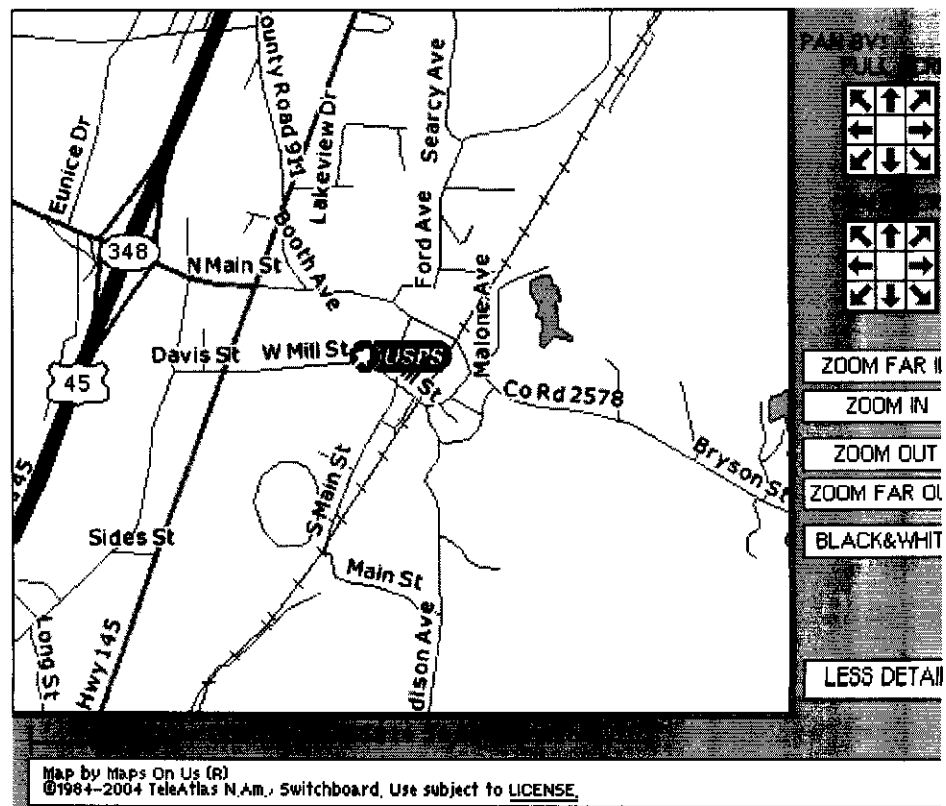
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Business Name:

Address:

Guntown Antiques
(662) 348-31951658 Main St
Guntown, MS [Map](#)**Guntown Beauty Supply**
(662) 348-54981389 Highway 145
Guntown, MS [Map](#)**Guntown Cafeteria**
(662) 348-22281539 Main St
Guntown, MS [Map](#)**Guntown Cell Site**
(662) 348-2539970 County Road 833
Guntown, MS [Map](#)**Guntown Drive In Movie**
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(662) 348-50421090 Road 833
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(662) 348-57361488 Main St
Guntown, MS [Map](#)**Guntown Lp Gas Co**
(662) 348-22591073 County Road 833
Guntown, MS [Map](#)**Guntown Mayor's Office**
(662) 348-53531657 Main St
Guntown, MS [Map](#)**Guntown Mayor's Office**
(662) 348-53531527 Main St
Guntown, MS [Map](#)**Guntown Police Dept**
(662) 348-22081657 Main St
Guntown, MS [Map](#)**Guntown Water Dept**
(662) 348-53531527 Main St
Guntown, MS [Map](#)

Town Guntown-Fire Dept
(662) 348-5393

1663 Main St
Guntown, MS [Map](#)

Town Guntown-Water Dept
(662) 348-5363

1589 Main St
Guntown, MS [Map](#)

Victory Baptist Church Guntown
(662) 348-2537

1164 Highway 348
Guntown, MS [Map](#)

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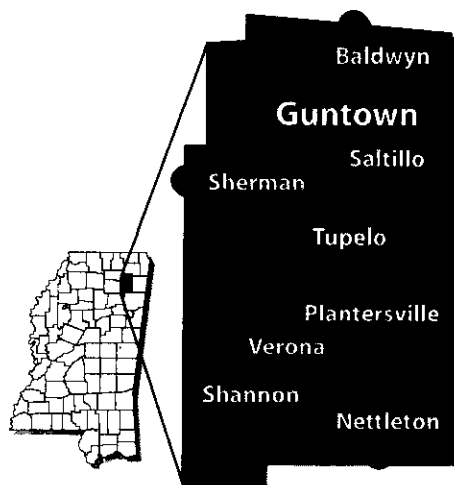


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LOCATION	DISTANCE FROM
Memphis, TN	89 MILES
Birmingham, AL	143 MILES
Jackson, MS	157 MILES

CLIMATE

Average Temperature	
Annual	62°
January	40°
July	81°
Average Rainfall	4.6 INCHES

POPULATION

	2000	1990	1980
County	75,755	65,581	57,061
City	1,183	692	359
Community Area Population*			226,469

*including adjacent counties

COMMUNICATIONS

Newspapers	
Local Daily Paper	1
Major Daily Papers	4
Local Weekly Papers	2
Radio Station (s)	8
Television Station (s)	3
Cable Television	Yes
Post Office	Yes

EDUCATION

	No.	Grade	Teachers	Students
Elementary				
Junior High	1	6-8	33	619
High School				
Private				
Vo-Tech				
Annual High School Graduates				
Colleges/Universities				
University of Mississippi - Tupelo Branch				
Mississippi University for Women - Tupelo				
Itawamba Community College - Tupelo				

COMMUNITY FACILITIES

Hospital	-
Clinics	-
Doctors	-
Dentists	-
Hotel/Motels	-
Total Rooms	-

Churches

	PROTESTANT	CATHOLIC	JEWISH
	8		
Race Track	-		
Skating Rink	-		
Bowling	-		
Ball Field	2		
Country Club	-		
Swimming Pool	-		
Movie	1		
Tennis Court	1		
Museum	-		
Golf Course	-		
YMCA	-		
Amateur Theatre	-		
Library	-		
Auditorium	-		
Parks	1		
Others: Community Center			

GOVERNMENT

Type of Government	
City	Mayor/Alderman
County	Board of Supervisors
Police Department	
Full Time: 2	
Part-Time: 2	
Patrol Cars: 4	
Fire Department	
Full Time: N/A	
Volunteer: 20	
Equipment: 2 Pumper/1 Rescue	
Fire Insurance Rating: 8	
Zoning Regulaion: No	
Planning Commission: No	

UTILITIES AND SERVICES

Electricity	
Supplier (s):	TVA
Supplier Delivery	161 KV
Distributor	Tombigbee EPA
Distributor Delivery:	13 KV
Natural Gas	
Supplier (s)	None
Distributor(s)	MS Valley Gas
Fuel Oils Available	Yes
Coals Aavailable	No
LPGAS Available	Yes
Water	
Name of Utility	Town of Guntown
Source	Deep Wells
Capacity of Plant	250,000 GPD
Avg. Daily Consumption	135,000 GPD
Peak Consumption	200,000 GPD
Storage Capacity	250,000 GAL
Sewer	
Name of Utiltiy	Town of Guntown
Treatment Plant(s)	
Type	
Capacity	200,000 GPD
Present Load	7,500,000 GPD
Solid Waste Disposal	Yes

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Guntown Middle School

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**P. O. Box 8
Guntown, MS
38849**

662-348-8800

662-348-8810 fax

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